

U.S. Patent Application Serial No. **10/085,034**
Response filed March 14, 2006
Reply to OA dated November 14, 2005

REMARKS

Claims 1, 2, 4-11, and 14-17 have been amended in order to more particularly point out, and distinctly claim the subject matter to which the applicants regard as their invention. The claim amendments are supported by the following:

- Claims 2 and 11 have been rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The applicants respectfully submit that no new matter has been added. It is believed that this Amendment is fully responsive to the Office Action dated **November 14, 2005**.

Claims 2-9 and 11-18 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. (Office Action, p.3).

In accordance with the Examiner's helpful suggestion, Claims 2-9 and 11-18 have been rewritten in independent form including all of the limitations of the base claim and any intervening claims.

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Claims 1 and 10 are rejected as being anticipated by Sakamoto (JP 01174023 A).
(Office Action, p.2).

Sakamoto discloses a mobile communication system comprising a plurality of wireless stations (Abstract, lines 2-3), and a switching apparatus for switching a frequency channel used between stations (Abstract, lines 3-5), the switching apparatus including a means for selecting a frequency channel to be used (Abstract, lines 8-11).

The Examiner asserts that **Sakamoto** discloses a switching apparatus having a means for sending a switching request packet that specifies a selected frequency channel to the stations. However, contrary to the claimed invention as recited in amended claims 1 and 10, **Sakamoto** teaches that the instruction to switch frequency channels is sent in a header of a packet **in a time slot that is assigned alternately to a base station and a mobile station.** (Sakamoto, Fig.2). In the claimed invention, a switching request packet is sent to stations **upon expiration of a polling period**, not in an alternate time slot as disclosed in **Sakamoto.** (Specification, p.9-10; Fig.3). Unlike **Sakamoto**, in the present invention, a switching apparatus **monitors a line status** in a wireless LAN among a plurality of stations by **polling.** The switching apparatus manages the network by sending to stations a switching request packet that identifies a frequency channel selected **based on the information gathered by polling;** and receiving responses from stations. (Specification, p.8, lines 9-22). Consequently, by sending a switching request packet containing information regarding a selected frequency channel to stations **after a polling period,** the claimed

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invention is able to monitor the network dynamically, and specifically respond to a decline in network quality, rather than in increments of alternate time slots, as disclosed in **Sakamoto**.

Sakamoto fails to anticipate the claimed invention because the reference fails to disclose the element of sending a switching request packet to stations **after the expiration of a polling period**, as recited in amended claims 1 and 10.

It is respectfully requested that this rejection be favorably considered.

In view of the aforementioned amendments and accompanying remarks, claims, as amended, are in condition for allowance, which action, at an early date, is requested.

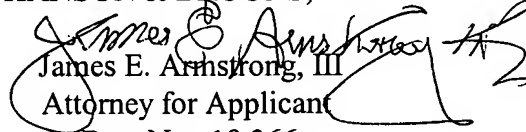
If, for any reason, it is felt that this application is not now in condition for allowance, the Examiner is requested to contact the applicants undersigned attorney at the telephone number indicated below to arrange for an interview to expedite the disposition of this case.

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In the event that this paper is not timely filed, the applicants respectfully petition for an appropriate extension of time. Please charge any fees for such an extension of time and any other fees which may be due with respect to this paper, to Deposit Account No. 01-2340.

Respectfully submitted,

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PATENT TRADEMARK OFFICE

Enclosures:

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